IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 2906 of 2004

Between:

1 S.Venkat Rao, S/o.Late S.Narasimha,
R/o.H.No.1-2-170/3, Rajamudaliar Street, Kalasiguda, Secunderabad.
2 S.Rama Chandra, S/o.Late Sri.S.Venkata Subbaiah,
R/o.H.No.1-2-170/5, Rajamudaliar Street, Kalasiguda, Secunderabad.
3 P.Ramesh, S/o.P.Gurunadham,
R/o.H.No.1-2-170/5, Rajamudaliar Street, Kalasiguda, Secunderabad.
4 P.V.SivaKumar, S/o.Late P.Varadarajulu,
R/o.H.No.1-2-170/5, Rajamudaliar Street, Kalasiguda, Secunderabad.
5 Ch.SivaKumar, S/o.Late Ch.Narayana,
R/o.H.No.1-2-170/4, Rajamudaliar Street, Kalasiguda, Secunderabad.
6 Ch.Prabhakar, S/o.Late Ch.Narayana,
R/o.H.No.1-2-170/4, Rajamudaliar Street, Kalasiguda, Secunderabad.
7 Ch.Srinivas, S/o.Late Ch.Narayana,
R/o.H.No.1-2-170/4, Rajamudaliar Street, Kalasiguda, Secunderabad.
8 S.Venkat Narsaiah, S/o.Late S.Narasimha,
R/o.H.No.1-2-170/3, Rajamudaliar Street, Kalasiguda, Secunderabad.
9 S.Gopal, S/o.Late S.Narasimha,
R/o.H.No.1-2-170/3, Rajamudaliar Street, Kalasiguda, Secunderabad.
10 B.Srinivas, S/o.B.Ramulu,
R/o.H.No.1-2-170/2, Rajamudaliar Street, Kalasiguda, Secunderabad.
11 V.Sudhershan, S/o.B.Ramulu,
R/o.H.No.1-2-170/1, Rajamudaliar Street, Kalasiguda, Secunderabad.
12 M.Vereshalingam, S/o.M.Anjaiah,
R/o.H.No.1-2-169/1, Rajamudaliar Street, Kalasiguda, Secunderabad.
13 M.Poorna Chander, S/o.M.P.C.Shyam Rao,
R/o.H.No.1-2-169/1, Rajamudaliar Street, Kalasiguda, Secunderabad.
14 M.Krishna, S/o.LateM.Anjaiah,
R/o.H.No.1-2-169/1, Rajamudaliar Street, Kalasiguda, Secunderabad.
15 M.Hanumantha Rao, S/o.Late M.Anjaiah,
R/o.H.No.1-2-169/1, Rajamudaliar Street, Kalasiguda, Secunderabad.

..... PETITIONERS

AND

1 The Municipal Corporation of Hyderabad, rep. by

its Commissioner, Hyderabad.
2 The Director of Fire Services, Lakdikapool, Hyderabad.
3 The Commissioner of Police, Basheerbagh, Hyderabad.
4 M/s.Shalivahana Builders (P) Ltd., rep. by its Managing

Director, Sri.Komaraiah,R/o.Besides Swapnalok Complex,

1-2-171 to 1-2-192, S.D.Road, Secunderabad.
5 S.Kamaluddin, S/o.Nawab Shiak Yousufuddin,

R/o.112, Shantiniketan Colony, Mahendra Hills, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or orders, direction or directions, writ or writ, particularly one in the nature of "WRIT OF MANDAMUS" and declare the action of the respondent No. 1 to 3, in not taking any action against the 4th respondent, who is carrying on the construction of Multi Stores Commercial Eomplex, in Municipal bearing No. from 1-2-171 to 1-2-192, Beside Swapnalok Complex, S.D.Road, Secunderabad, in violation of sanction plan, set back rules and Fire Protection Safety Specifications is illegal, arbitrary and against the provision of Statutory building requirements and consequently direct the respondent No. 1 to 3 not to allow the 4th respondent to carry on the illegal construction of Multi Stores Commercial Complex, in Municipal bearing No. from 1-2-171 to 1-2-192, Beside Swapnalok Complex, S.D.Road, Secunderabad in violation sanction plan, setback rules and Fire Protection Safety Specifications.

Counsel for the Petitioners: MR.K.L.N.SWAMY

Counsel for the Respondent No.1: SMT G.JYOTHI KIRAN

Counsel for the Respondent Nos.4 & 5: SRI N.SRIDHAR REDDY

The Court made the following :

ORDER:

Learned counsel for the petitioner filed a letter before the Registry seeking to post the writ petition under the caption of ‘for withdrawal’. Accordingly, the matter is listed today under the caption of ‘for withdrawal’. When the matter is called, learned counsel for the

petitioner sought permission of this Court to withdraw the writ petition. Permission is accorded.

The writ petition is accordingly dismissed as withdrawn. No order as to costs.

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27.04.2005

dr/tvk

To

1 The Municipal Corporation of Hyderabad, rep. by

its Commissioner, Hyderabad.
2 The Director of Fire Services, Lakdikapool, Hyderabad.
3 The Commissioner of Police, Basheerbagh, Hyderabad.
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